

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
**Land Management Administration • Waste Diversion and Utilization Program**  
1800 Washington Boulevard • Suite 610 • Baltimore, Maryland 21230-1719  
410-537-3314 • 800-633-6101 x3314 • <http://www.mde.state.md.us>

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(Office use only) MDE Agency Interest Number: \_\_\_\_\_

**Animal Feeding Operation (AFO) Status Form**

Legal Name of Operation/Farm (please print): \_\_\_\_\_

Name of Owner (please print) \_\_\_\_\_ Name of Operator (please print) \_\_\_\_\_

Operation/Farm Address (please print): \_\_\_\_\_

Operation/Farm County (please print): \_\_\_\_\_

Owner/Operator Telephone Number: \_\_\_\_\_

**Please check one of the following boxes and return this form and all required documents to:**

Mr. Gary F. Kelman  
Maryland Department of the Environment  
Land Management Administration  
1800 Washington Blvd., Suite 610  
Baltimore, Maryland 21230-1719

- ☐ I am withdrawing my **Notice of Intent (NOI)** seeking coverage under the General Discharge (GD) Permit as a Maryland Feeding Operation (MAFO). **My house capacity is less than 75,001 square feet and my medium AFO does not discharge or propose to discharge pollutants to surface waters of the State.** Therefore, I am not required to complete and submit the **Certificate of Conformance (COC)** to MDE.
- ☐ I am withdrawing my **NOI** seeking coverage under the GD Permit for my medium AFO. **My house capacity is between 75,001 and 99,999 square feet and my medium AFO does not discharge or propose to discharge pollutants to surface waters of the State.** I have completed and signed the enclosed **Certificate of Conformance (COC)** and am submitting it to MDE prior to **December 1, 2012**. I understand that failure to submit the required **COC to MDE by December 1, 2012** will result in my medium AFO automatically being designated a MAFO under Maryland law and subject to all applicable requirements.
- ☐ I am withdrawing my **NOI** seeking coverage under the GD Permit as a MAFO because my medium AFO **discharges or proposes to discharge pollutants to surface waters of the State.** I have completed the enclosed **NOI** to be covered as a Concentrated Animal Feeding Operation (CAFO) and have submitted it to MDE. I understand that failure to submit the **NOI** for coverage under the GD Permit as a CAFO, along with all required documents, may subject me to enforcement action by MDE, including penalties, for operating a CAFO without a permit.

\_\_\_\_\_  
Signature of Owner or Operator Responsible for this Operation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

### **Applicable Regulations**

COMAR 26.08.01.01B(42-1) defines MAFO as an AFO that is not a CAFO and is:

- (a) A large AFO according to Table 1 of COMAR 26.08.03.09A;
- (b) A medium AFO according to Table 1 of COMAR 26.08.03.09A, designated as MAFO in accordance with COMAR 26.08.03.09.C(2); or
- (c) A chicken (other than laying hens) AFO with dry manure handling and at least 75,000 square feet total house capacity:
  - (i) That has not submitted to the Department a certification of conformance required under COMAR 26.08.03.09F; or
  - (ii) For which the certification of conformance has been rejected in accordance with that regulation.

COMAR 26.08.03.09

#### **F. Certification of Conformance.**

- (1) A chicken (other than laying hens) AFO with dry manure and a total house size capacity of 75,000 square feet or greater that is not otherwise categorized as a CAFO or MAFO, *shall submit to the Department a certification of conformance* within the time period specified in the general permit for AFOs issued under COMAR 26.08.04.09N.
- (2) The Department may designate a facility a MAFO before or after the submittal of a certification of conformance if the Department determines that the facility is a MAFO under this regulation.
- (3) **Failure to submit the required certification shall result in the automatic designation of the facility as a MAFO, and the facility shall be subject to enforcement and penalty for operating without a State discharge permit from the effective date of this regulation or the date the facility began operating, whichever occurs later.**
- (4) A certification of conformance **may be rejected** after notice to the AFO if the Department determines that any of the following have occurred:
  - (a) False or inaccurate information was contained in the certification;
  - (b) Conditions or specifications included in the required NMP or conservation plan have been or are about to be violated;
  - (c) Substantial deviation from the required plans has occurred;
  - (d) The AFO has failed to permit an authorized representative of the Department, upon presentation of proper credentials, to:
    - (i) Enter at any reasonable time upon the AFO's premises where a pollutant source is located, pertinent operations are conducted, or records related to the required plans are maintained;
    - (ii) Access and copy any records related to the required plans;
    - (iii) Inspect facilities to ensure compliance with the conditions of the certification;
    - (iv) Inspect any monitoring equipment or method required in the plans; or
    - (v) Sample any discharge or pollutants;
  - (e) Any State or federal water quality stream standard or effluent standard has been or is threatened to be violated; or
  - (f) Any other good cause exists for rejecting the certification.